

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

STEPHANIE MCDUEL,)	
Plaintiff,)	
)	No. 1:23-cv-777
-v-)	
)	Honorable Paul L. Maloney
PRECISION PROPERTY)	
MANAGEMENT/WEST MI RENTALS, <i>et al.</i> ,)	
Defendants.)	
_____)	

ORDER REJECTING REPORT AND RECOMMENDATION

Pending before the Court is a report and recommendation issued by the Magistrate Judge (ECF No. 5). Because Plaintiff McDuel filed an amended complaint, the Court **REJECTS** the report and recommendation.

Plaintiff McDuel, proceeding without the assistance of counsel, requested leave to proceed without prepayment of the filing fee. The Court granted that request. The Magistrate Judge reviewed the complaint and issued a report recommending that the Court dismiss the complaint for failure to state a claim (ECF No. 5). At the conclusion of the report, the Magistrate Judge informed Plaintiff that any objections must be filed within 14 days (PageID.20). Plaintiff filed a request for an extension of time, which the Court granted. In lieu of objections, Plaintiff filed an amended complaint (ECF No. 10). When filed, an amended complaint supersedes the original complaint. *See Hayward v. Cleveland Clinic Found.*, 759 F.3d 601, 617 (6th Cir. 2014) (citing 6 Charles A. Wright & Arthur R. Miller, Federal Practice and Procedure § 1476 (3d ed. 2010)); *Drake v. City of Detroit*, 266 F. App'x 444, 448 (6th Cir. 2008).

The Court expresses no opinion about whether the amended complaint overcomes the problems identified in the report and recommendation.

IT IS SO ORDERED.

Date: September 19, 2023

/s/ Paul L. Maloney
Paul L. Maloney
United States District Judge